MST

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2223 OF 2007

Ajay Parasnath Rastogi Applicant
versus
The State of Maharashtra Respondent

Mr.Sanjeev P. Kadam for applicant.
Ms.M.H.Mhatre, APP for State.

CORAM : V.C.DAGA, J.

DATE : 18th July 2007

PC :

1. Heard learned counsel for the applicant and learned APP for the State. The applicant is seeking bail in CR No.233 of 2006 registered with Mira Road Police Station, District Thane for the offences punishable under sections 394, 397 read with 34 of IPC.. The learned counsel for the applicant took me through the material available on record and particularly read over the statement of one Abdul Hamid Shaikh, from which it is prima facie clear that the present applicant is not directly involved in the commission of the offence. He had only caught the complainant-victim; whereas one Mukesh has

inflicted the injuries on him. It is no doubt true that there is a recovery of a Mobile Phone from the present applicant. However, that by itself would not be sufficient to deny the bail to the applicant.

2. The investigation is complete and charge sheet is already filed. In the circumstances, no useful purpose will be served by continuing the applicant under detention. Hence, I am inclined to grant bail to the applicant on the following conditions:-

(a) The applicant be enlarged on bail in the sum of Rs.10,000/- (Rs.Ten thousand only) with one or two sureties to make up the said amount in C.R.No.233 of 2006 registered with Mira Road Police Station, District Thane;

(b) The applicant shall report to the Mira Road Police Station, District Thane once in a week i.e. every Saturday between 03.00 to 05.00 p.m. till conclusion of trial;

(c) The applicant shall co-operate with the investigating agency;

(d) The applicant shall not tamper with the prosecution evidence or pressurise the witnesses;

(e) The Criminal Application is disposed of.

(V.C.DAGA, J.)